

**SEVENTY-FOURTH LEGISLATIVE DAY
THURSDAY, MARCH 23, 2006**

House of Representatives

The House convened at 10 a.m., Mr. Denney in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Pastor James Kirby.

The Pledge of Allegiance was led by Michael Kelsey, Page.

Approval of Journal

March 23, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventy-Third Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the
Governor and the Senate**

OFFICE OF THE GOVERNOR
Boise

March 22, 2006

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 783, H 782, H 767, H 766, H 727, H 718, H 716, H 711, H 707, H 694, H 659, H 646, H 645, H 639, H 636, H 633, H 632, H 631, H 619, H 611, as amended, H 606, H 605, H 601, as amended in the Senate, H 593, H 587, H 584, H 576, H 565, as amended, H 546, H 539, H 538, H 533, as amended in the Senate, H 529, H 528, H 527, H 526, H 525, H 524, H 521, H 520, H 517, H 491, H 433, and H 432

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

March 22, 2006

Mr. Speaker:

I transmit herewith enrolled S 1442 for the signature of the Speaker.

WOOD, Secretary

The Speaker Pro Tem announced that the Speaker would sign enrolled S 1442 and, when so signed, ordered it returned to the Senate.

March 22, 2006

Mr. Speaker:

I return herewith enrolled **HCR 38, HCR 58, and HCR 54** which have been signed by the President.

WOOD, Secretary

Enrolled **HCR 38, HCR 58, and HCR 54** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

March 23, 2006

Mr. Speaker:

I transmit herewith enrolled **S 1417, S 1443, S 1444, S 1445, S 1446, and S 1447** for the signature of the Speaker.

WOOD, Secretary

The Speaker Pro Tem announced that the Speaker would sign enrolled **S 1417, S 1443, S 1444, S 1445, S 1446, and S 1447** and, when so signed, ordered them returned to the Senate.

March 23, 2006

Mr. Speaker:

I return herewith enrolled **HCR 55, H 637, H 544, H 472, as amended, H 634, as amended, H 788, H 652, H 653, H 722, H 514, H 515, H 599, H 734, H 696, H 724, H 688, H 706, and H 443, as amended in the Senate, which have been signed by the President.**

WOOD, Secretary

Enrolled **H 637, H 544, H 472, as amended, H 634, as amended, H 788, H 652, H 653, H 722, H 514, H 515, H 599, H 734, H 696, H 724, H 688, H 706, and H 443, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.**

Enrolled **HCR 55** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

March 22, 2006

Mr. Speaker:

I transmit herewith **SCR 133** which has passed the Senate.

WOOD, Secretary

SCR 133 was filed for first reading.

March 22, 2006

Mr. Speaker:

I return herewith **HCR 59, HJM 21, H 712, H 545, H 686, H 687, H 729, H 582, H 680, H 793, H 794, H 797, H 798, H 799, and H 594** which have passed the Senate.

WOOD, Secretary

HCR 59, HJM 21, H 712, H 545, H 686, H 687, H 729, H 582, H 680, H 793, H 794, H 797, H 798, H 799, and H 594 were referred to the Judiciary, Rules, and Administration

Committee for enrolling.

Report of Standing Committees

March 23, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 65**, **HCR 66**, **HJM 25**, **H 841**, and **H 842**.

FIELD(18), Chairman

HCR 65 was referred to the Commerce and Human Resources Committee.

HCR 66 was referred to the Education Committee.

H 842 was referred to the State Affairs Committee.

HJM 25 and **H 841** were filed for second reading.

March 23, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 640**, **H 602**, as amended, **H 762**, **H 709**, as amended, **H 719**, as amended, **H 738**, as amended, **H 752**, **H 562**, as amended, **H 513**, **H 412**, **H 541**, **H 638**, **H 684**, **H 596**, **H 492**, **H 466**, **H 671**, as amended in the Senate, and **H 497**, as amended in the Senate.

FIELD(18), Chairman

The Speaker Pro Tem announced that the Speaker would sign enrolled **H 640**, **H 602**, as amended, **H 762**, **H 709**, as amended, **H 719**, as amended, **H 738**, as amended, **H 752**, **H 562**, as amended, **H 513**, **H 412**, **H 541**, **H 638**, **H 684**, **H 596**, **H 492**, **H 466**, **H 671**, as amended in the Senate, and **H 497**, as amended in the Senate, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 23, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 695**, as amended in the Senate, and **H 676**, as amended in the Senate.

FIELD(18), Chairman

H 695, as amended in the Senate, and **H 676**, as amended in the Senate, were filed for first reading of engrossed bills.

March 22, 2006

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **S 1415** and recommend that it do pass.

WOOD, Chairman

S 1415 was filed for second reading.

March 22, 2006

Mr. Speaker:

We, your COMMITTEE ON ENVIRONMENT, ENERGY, AND TECHNOLOGY, report that we have had under consideration **HCR 64** and recommend that it do pass.

RAYBOULD, Chairman

HCR 64 was filed for second reading.

March 22, 2006

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 833**, **SCR 128**, and **S 1340**, as amended, and recommend that they do pass.

BLOCK, Chairman

H 833, **SCR 128**, and **S 1340**, as amended, were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

SCR 133, by State Affairs Committee, was introduced, read the first time by title, and referred to the Ways and Means Committee.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 844

BY APPROPRIATIONS COMMITTEE

AN ACT

RELATING TO APPROPRIATIONS; STATING INTENT OF THE LEGISLATURE; DIRECTING THE DEPARTMENT OF ADMINISTRATION TO PAY ESTIMATED FISCAL YEAR 2007 INCREASES IN GROUP MEDICAL INSURANCE PREMIUMS, TO PAY ONE MONTH OF GROUP MEDICAL INSURANCE PREMIUMS AND TO PAY BASIC LIFE AND DISABILITY PREMIUMS FOR THE EMPLOYER FOR SEVEN MONTHS; APPROPRIATING ADDITIONAL MONEYS FOR FISCAL YEAR 2007 TO STATE AGENCIES AND STATE INSTITUTIONS FOR PERSONNEL COSTS; APPROPRIATING ADDITIONAL MONEYS TO STATE AGENCIES FOR FISCAL YEAR 2007 FOR PERSONNEL COSTS OF TARGETED JOB CLASSIFICATIONS; APPROPRIATING ADDITIONAL MONEYS TO THE ATTORNEY GENERAL FOR SPECIFIED PERSONNEL COSTS; APPROPRIATING ADDITIONAL MONEYS TO THE SCHOOL FOR THE DEAF AND THE BLIND FOR SPECIFIED PERSONNEL COSTS; DIRECTING STATE AGENCIES AND INSTITUTIONS REGARDING THE USE AND REPORTING OF SALARY SAVINGS; APPROPRIATING ADDITIONAL MONEYS FOR FISCAL YEAR 2007 TO STATE AGENCIES AND STATE INSTITUTIONS FOR PERSONNEL COSTS; AND EXPRESSING LEGISLATIVE INTENT THAT THE DEPARTMENT OF ADMINISTRATION USE RESERVES TO COVER THE COSTS OF MENTAL HEALTH INSURANCE

PARITY FOR STATE EMPLOYEES FOR FISCAL YEAR 2007.

HOUSE BILL NO. 845
BY APPROPRIATIONS COMMITTEE
AN ACT

RELATING TO THE APPROPRIATION FOR THE PUBLIC SCHOOLS DIVISION OF TEACHERS; PROVIDING FOR EXPENDITURES FOR THE PUBLIC SCHOOLS DIVISION OF TEACHERS; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; APPROPRIATING FUNDS TO THE EDUCATIONAL SUPPORT PROGRAM/DIVISION OF TEACHERS FOR FISCAL YEAR 2007; PROVIDING MONEYS FOR THE UNEMPLOYMENT INSURANCE PROGRAM; DIRECTING THAT AN AMOUNT BE DISTRIBUTED FOR MASTER TEACHER AWARD PAYMENTS; DIRECTING THAT \$500,000 BE ALLOCATED FOR TRAINING TO SERVE THE NEEDS OF GIFTED AND TALENTED STUDENTS; AND AMENDING SECTION 33-1004E, IDAHO CODE, TO PROVIDE FOR A BASE SALARY INCREASE FOR INSTRUCTIONAL STAFF AND TO INCREASE THE MINIMUM INSTRUCTIONAL STAFF SALARY TO \$30,000.

HOUSE BILL NO. 846
BY APPROPRIATIONS COMMITTEE
AN ACT

RELATING TO THE APPROPRIATION FOR THE PUBLIC SCHOOLS DIVISION OF OPERATIONS; PROVIDING FOR EXPENDITURES FOR THE PUBLIC SCHOOLS DIVISION OF OPERATIONS FOR FISCAL YEAR 2007; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; APPROPRIATING FUNDS TO THE EDUCATIONAL SUPPORT PROGRAM/DIVISION OF OPERATIONS FOR FISCAL YEAR 2007; DIRECTING THAT \$9,800,000 BE EXPENDED FOR TECHNOLOGY AND REMEDIATION PROGRAMS; APPROPRIATING THE AMOUNT OF GENERAL FUND MONEY NECESSARY AS DETERMINED BY SECTION 33-1002D, IDAHO CODE, FOR PROPERTY TAX REPLACEMENT; PROVIDING AN ESTIMATE OF DISCRETIONARY FUNDS PER SUPPORT UNIT; AMENDING SECTION 33-1002, IDAHO CODE, TO REVISE THE LOCAL DISTRICTS' CONTRIBUTION CALCULATION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-1004E, IDAHO CODE, TO PROVIDE FOR A BASE SALARY INCREASE FOR CLASSIFIED STAFF; PROVIDING FOR THE TRANSFER OF FUNDS TO THE PUBLIC EDUCATION STABILIZATION FUND; AND DECLARING AN EMERGENCY FOR SECTION 9 OF THIS ACT.

HOUSE BILL NO. 847
BY APPROPRIATIONS COMMITTEE
AN ACT

RELATING TO THE APPROPRIATION FOR THE PUBLIC SCHOOLS DIVISION OF CHILDREN'S PROGRAMS; PROVIDING A DESCRIPTION OF THE

PUBLIC SCHOOLS DIVISION OF CHILDREN'S PROGRAMS AND PROVIDING THE AMOUNTS TO BE EXPENDED; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; APPROPRIATING MONEYS TO THE EDUCATIONAL SUPPORT PROGRAM/DIVISION OF CHILDREN'S PROGRAMS FOR FISCAL YEAR 2007; DIRECTING THAT \$5,500,000 OF THE MONEYS ACCRUING PURSUANT TO SECTIONS 63-2506 AND 63-2552A, IDAHO CODE, AND SUCH OTHER MONEYS WHICH MAY BECOME AVAILABLE PURSUANT TO SECTION 63-7439, IDAHO CODE, BE EXPENDED FOR THE IDAHO SAFE AND DRUG-FREE SCHOOLS PROGRAM; DIRECTING THE DISTRIBUTION OF FUNDS FOR THE IDAHO SAFE AND DRUG-FREE SCHOOLS PROGRAM; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO FEATURES OF THE IDAHO SAFE AND DRUG-FREE SCHOOLS PROGRAM; DIRECTING THAT \$2,800,000 BE USED FOR THE LITERACY PROGRAMS AND EXPRESSING LEGISLATIVE INTENT THAT THE STATE DEPARTMENT OF EDUCATION AND THE STATE BOARD OF EDUCATION COORDINATE CERTAIN PROGRAMS; DIRECTING THAT \$6,040,000 BE ALLOCATED FOR PROGRAMS FOR STUDENTS WITH NON-ENGLISH OR LIMITED-ENGLISH PROFICIENCY; DIRECTING THAT \$1,100,080 BE DISTRIBUTED TO THE IDAHO DIGITAL LEARNING ACADEMY; AND GRANTING AUTHORITY TO TRANSFER FUNDS BETWEEN THE FIVE DIVISIONS OF THE EDUCATIONAL SUPPORT PROGRAM BUDGET.

HOUSE BILL NO. 848
BY APPROPRIATIONS COMMITTEE
AN ACT

RELATING TO THE APPROPRIATION FOR THE PUBLIC SCHOOLS DIVISION OF ADMINISTRATORS; PROVIDING FOR EXPENDITURES FOR THE PUBLIC SCHOOLS DIVISION OF ADMINISTRATORS FOR FISCAL YEAR 2007; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; APPROPRIATING FUNDS TO THE EDUCATIONAL SUPPORT PROGRAM/DIVISION OF ADMINISTRATORS FOR FISCAL YEAR 2007; EXPRESSING LEGISLATIVE INTENT THAT CERTAIN STATE FUNDED BENEFITS BE PAID; AND AMENDING SECTION 33-1004E, IDAHO CODE, TO INCREASE BASE SALARIES FOR ADMINISTRATIVE STAFF.

H 844, H 845, H 846, H 847, and H 848 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

First Reading of Engrossed Bills

H 695, as amended in the Senate, by State Affairs Committee, was introduced, read the first time by title and filed for second reading.

H 676, as amended in the Senate, by Revenue and Taxation Committee, was introduced, read the first time by title and filed

for second reading.

Second Reading of Bills and Joint Resolutions

H 836, H 837, H 838, and H 839, by Appropriations Committee, were read the second time by title and filed for third reading.

SJM 120, by State Affairs Committee, was read the second time by title and filed for third reading.

S 1454 and S 1455, by Finance Committee, were read the second time by title and filed for third reading.

H 648, as amended in the Senate, by Commerce and Human Resources Committee, was read the second time by title and filed for third reading.

H 624, as amended in the Senate, by Education Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

S 1449 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bolz to open debate.

The question being, "Shall **S 1449** pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Bastian, Bayer, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Hart, Harwood, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Mitchell, Moyle, Nielsen, Pasley-Stuart, Raybould, Ring, Rydalch, Salyer, Schaefer, Shepherd(2), Shepherd(8), Shirley, Smith(30), Smith(24), Smylie, Stevenson, Trail, Wills, Wood. Total -- 50.

NAYS -- Barrett, Loertscher, Sali. Total -- 3.

Absent and excused -- Anderson, Bedke, Black, Deal, Edmunson, Garrett, Henbest, Henderson, Miller, Nonini, Pence, Ringo, Roberts, Rusche, Skippen, Snodgrass, Mr. Speaker. Total -- 17.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1449** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1450 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bolz to open debate.

The question being, "Shall **S 1450** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Salyer, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- Barrett, Hart, Martinez, McKague. Total -- 4.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1450** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1451 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Eskridge to open debate.

The question being, "Shall **S 1451** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Salyer, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Nonini. Total -- 1.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1451** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1452 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bolz to open debate.

The question being, "Shall **S 1452** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal,

Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydallch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Nonini. Total -- 1.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1452** passed the House. Title was approved and the bill was ordered returned to the Senate.

H 816 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Crow and Mr. Lake to open debate.

The question being, "Shall **H 816** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydallch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Mitchell, Nonini. Total -- 2.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 816** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 820 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Wood to open debate.

The question being, "Shall **H 820** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin,

McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rydallch, Sali, Sayler, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Rusche, Shepherd(8). Total -- 2.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 820** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

HCR 63 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Skippen to open debate.

Ms. Henbest asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **HCR 63**. There being no objection, it was so ordered.

The question being, "Shall **HCR 63** be adopted?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, Miller, Mitchell, Moyle, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydallch, Sayler, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 62.

NAYS -- Barrett, Hart, Loertscher, McGeachin, McKague, Nielsen, Sali, Shepherd(8). Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared **HCR 63** adopted and ordered the resolution transmitted to the Senate.

S 1334 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Trail to open debate.

Mr. Trail asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **S 1334**. There being no objection, it was so ordered.

The question being, "Shall **S 1334** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal,

Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Block, Henbest, Lake, Mitchell. Total -- 4.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1334** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle asked unanimous consent that **S 1388** retain its place on the Third Reading Calendar for one Legislative Day. There being no objection, it was so ordered.

S 1399 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Clark to open debate.

The question being, "Shall **S 1399** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Lake, Sali. Total -- 2.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1399** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1395, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bilbao to open debate.

The question being, "Shall **S 1395**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, LeFavour, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 58.

NAYS -- Barrett, Clark, Crow, Harwood, Loertscher, McKague, Roberts, Shepherd(8), Wood. Total -- 9.

Absent and excused -- Field(23), Lake, Sali. Total -- 3.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1395**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

There being no objection, the House returned to the Fifth Order of Business.

Report of Standing Committees

S 1247 held at the Desk February 15, 2006, was referred to the State Affairs Committee.

S 1429 held at the Desk March 16, 2006, was referred to the State Affairs Committee.

S 1243, as amended, held at the Desk March 21, 2006, was referred to the State Affairs Committee.

There being no objection, the House advanced to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

Mr. Moyle moved that the House recess until 1:15 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker Pro Tem declared the House at recess until 1:15 p.m.

RECESS

Afternoon Session

The House reconvened at 1:15 p.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prior to recess, the House was at the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

S 1275 was read the third time at length, section by section,

and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Field(18) to open debate.

The question being, "Shall **S 1275** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Ellsworth, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, Miller, Mitchell, Moyle, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Smith(30), Smith(24), Smylie, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 59.

NAYS -- None.

Absent and excused -- Bedke, Crow, Edmunson, Eskridge, Loertscher, McGeachin, McKague, Nielsen, Sali, Skippen, Snodgrass. Total -- 11.

Total -- 70.

Whereupon the Speaker declared **S 1275** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1400, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **S 1400**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Denney, Ellsworth, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 61.

NAYS -- Barrett. Total -- 1.

Absent and excused -- Bedke, Black, Crow, Deal, Edmunson, Eskridge, Sali, Snodgrass. Total -- 8.

Total -- 70.

Whereupon the Speaker declared **S 1400**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1407 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Smith(24) to open debate.

At this time, Mr. Denney took the Chair.

The question being, "Shall **S 1407** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Ellsworth, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Bedke, Black, Deal, Edmunson, Eskridge, Sali, Snodgrass. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1407** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1408 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Ellsworth to open debate.

Mr. Lake asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **S 1408**. There being no objection, it was so ordered.

At this time, Mr. Moyle took the Chair.

The question being, "Shall **S 1408** pass?"

Roll call resulted as follows:

AYES -- Anderson, Bastian, Bilbao, Block, Boe, Bolz, Bradford, Deal, Ellsworth, Eskridge, Field(18), Field(23), Henbest, Jaquet, Kemp, LeFavour, Martinez, McGeachin, Miller, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Sayler, Shepherd(2), Shirley, Skippen, Smith(30), Trail, Wills, Mr. Speaker. Total -- 34.

NAYS -- Andrus, Barraclough, Barrett, Bayer, Bedke, Bell, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Edmunson, Garrett, Hart, Harwood, Henderson, Lake, Loertscher, Mathews, McKague, Mitchell, Moyle, Nonini, Roberts, Rydalch, Sali, Schaefer, Shepherd(8), Smith(24), Smylie, Snodgrass, Stevenson, Wood. Total -- 34.

Absent and excused -- Black, Denney. Total -- 2.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1408** failed to pass the House and ordered the bill returned to the Senate.

S 1409, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Clark to open debate.

Mr. Clark asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **S 1409**, as amended. There being no objection, it was so ordered.

The question being, "Shall **S 1409**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Bastian, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Hart, Henderson, Jaquet, Kemp, LeFavour, Martinez, McGeachin, Miller, Mitchell, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Trail, Wills, Mr. Speaker. Total -- 47.

NAYS -- Andrus, Barraclough, Barrett, Bayer, Bedke, Crow, Garrett, Harwood, Henbest, Lake, Loertscher, Mathews, McKague, Moyle, Nonini, Roberts, Sali, Shepherd(8), Smylie, Stevenson, Wood. Total -- 21.

Absent and excused -- Black, Denney. Total -- 2.
Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1409**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1295 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Nonini to open debate.

The question being, "Shall **S 1295** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 64.

NAYS -- Mr. Speaker. Total -- 1.

Absent and excused -- Bedke, Black, Denney, Nielsen, Smith(24). Total -- 5.
Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1295** passed the

House. Title was approved and the bill was ordered returned to the Senate.

S 1373 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Trail to open debate.

The question being, "Shall **S 1373** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Bedke, Black, Denney, Smith(24).
Total -- 4.
Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1373** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1411 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Lake to open debate.

The question being, "Shall **S 1411** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Bedke, Black, Crow, Denney, Henderson. Total -- 5.
Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1411** passed the House. Title was approved and the bill was ordered returned to

the Senate.

S 1413 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bolz to open debate.

The question being, "Shall **S 1413** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Bedke, Black, Crow, Denney, Henderson, Jaquet. Total -- 6.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1413** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1401 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Sali to open debate.

At this time, the Speaker took the Chair.

The question being, "Shall **S 1401** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Jaquet, Kemp, Lake, LeFavour, Loertscher, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pence, Raybould, Ring, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(8), Shirley, Skippen, Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 59.

NAYS -- Boe, Martinez, Mitchell, Pasley-Stuart, Ringo, Smith(30). Total -- 6.

Absent and excused -- Denney, Henderson, Shepherd(2), Smith(24), Trail. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **S 1401** passed the House.

Title was approved and the bill was ordered returned to the Senate.

Mr. Snodgrass, having voted on the prevailing side, served notice that he may ask for reconsideration of the vote by which **S 1408** failed to pass the House.

S 1408 was ordered held at the Desk.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Thirteenth Order of Business.

Miscellaneous and Unfinished Business

Notice having been served and having voted on the prevailing side, Mr. Snodgrass moved that the House now reconsider the vote by which **S 1408** failed to pass the House. Seconded by Mrs. Field(18).

The question being, "Shall the motion carry?"

Roll call resulted as follows:

AYES -- Anderson, Bastian, Black, Block, Boe, Bolz, Deal, Denney, Ellsworth, Eskridge, Field(18), Field(23), Jaquet, LeFavour, Martinez, Miller, Pence, Ring, Ringo, Rusche, Sayler, Shepherd(2), Shirley, Skippen, Smith(30), Snodgrass, Wills, Mr. Speaker. Total -- 28.

NAYS -- Andrus, Barraclough, Barrett, Bayer, Bedke, Bell, Bilbao, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Edmunson, Garrett, Hart, Harwood, Henbest, Kemp, Lake, Loertscher, Mathews, McGeachin, McKague, Mitchell, Moyle, Nonini, Pasley-Stuart, Raybould, Roberts, Rydalch, Sali, Schaefer, Shepherd(8), Smith(24), Smylie, Stevenson, Wood. Total -- 39.

Absent and excused -- Henderson, Nielsen, Trail. Total -- 3.

Total -- 70.

Whereupon the Speaker declared the motion to reconsider failed and **S 1408**, having failed to pass the House, was returned to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 9 a.m., Friday, March 24, 2006. Seconded by Mr. Sayler. Motion carried.

Whereupon the Speaker declared the House adjourned at 3:12 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk